

Court Interpreters

ROLE OF COURT INTERPRETERS

Court interpreters translate during court proceedings for a witness, victim, or defendant who speaks or understands little or no English. In criminal proceedings, the cost of interpreter services are borne by the state.

Currently, court interpreters can be certified in eight languages: Arabic, Cantonese, Japanese, Korean, Portuguese, Spanish, Tagalog, and Vietnamese. Certifications may change periodically depending on the results of studies of language usage in the courts. Only interpreters who pass the Court Interpreter Certification Examination are referred to as certified court interpreters (Gov. Code, § 68566).

Interpreters of languages for which there is no state certifying examination are called registered interpreters of nondesignated languages. They must meet the requirements developed for court interpreters and pass an English fluency exam.

There were 1,067 certified court interpreters and 221 registered interpreters in California as of October 1999.

The Administrative Office of the Courts has contracted with Cooperative Personnel Services to administer certification examinations through June 30, 2000.

WHAT THE JUDICIAL COUNCIL IS REQUIRED TO DO

Effective January 1, 1993, the Judicial Council

was mandated by statute to certify and register court interpreters (Sen. Bill 1304; Stats. 1992, ch. 770). Among other things, the statute requires the council to:

- Designate the languages for which certification programs shall be established;
- Approve one or more entities to certify Spanish language interpreters and interpreters for as many other languages as the council designates;
- Adopt and publish guidelines, standards, and procedures to determine which certification entities will be approved to test and certify interpreters;
- Adopt standards and requirements for interpreter proficiency, continuing education, certification renewal, discipline, and standards of professional conduct;
- Adopt programs for interpreter recruiting, training, continuing education, and evaluation to ensure that an adequate number of interpreters is available and that they interpret competently; and
- Establish guidelines for fees or set fees for applications to take the interpreter examination, for certification or renewal of certifications, and for certain other functions.

In addition, the Judicial Council maintains biannually updated lists of court and registered interpreters from which courts can make their selections. Court and registered interpreters receive ID badges, which they are required to wear during all court interpreting assignments.

Legislation effective January 1, 1998, made the Judicial Council responsible for setting statewide pay rates for interpreter services in criminal proceedings. Previously, each trial court had authority to establish per diem rates, which resulted in varying rates among counties, from \$114 to \$210 for a full day. The council has increased daily compensation for certified and registered court interpreters to a minimum of \$243 per day for trial court systems across the state, effective July 1, 1999. This is the second increase in the daily rate since January 1999. The council's goal is to increase the per diem rate to \$265 for a full day, subject to funding authorization. The council also seeks to fund up to one interpreter coordinator per county, based on population.

In June 1993 Chief Justice Ronald M. George appointed the Court Interpreters Advisory Panel, chaired by Los Angeles Superior Court Judge Lance A. Ito, to assist the Judicial Council in implementing the programs just described.

HOW COURT INTERPRETERS ARE CERTIFIED

The certification examination consists of a written component and an oral component. In the written portion, candidates are tested on their knowledge of general vocabulary and , reading comprehension in the second language, protocol, and ethics. Candidates who pass the written component go on to take the oral examination, which tests their skills in simultaneous and consecutive interpretation and sight translation.

As approved by the Judicial Council on July 7, 1994, court interpreters must meet the following requirements for certification: register with the Judicial Council, submit proof of 30 hours of continuing education and 40 recent interpreting

assignments, and attend a code of ethics workshop.

FACTS ABOUT CALIFORNIA'S LANGUAGE USAGE

- The U.S. Census Bureau counts 224 languages and innumerable dialects in California—the most linguistically diverse state in the nation.
- Of the 32 percent of Californians who speak a non-English language, nearly one in ten speaks no English.
- Nearly 5.5 million Californians speak Spanish, and more than 650,000 of these speak no English.

(Commission on the Future of the California Courts, *Justice in the Balance—2020* (1994). pp. 55–56.)

Registered interpreters of nondesignated languages must pass an English proficiency examination, attend an orientation workshop, and meet the continuing education requirements developed for court interpreters. In addition, the council in 1998 approved a new rule of court establishing a code of professional conduct for court interpreters.

For information about becoming a court interpreter or a continuing education provider, call 415-865-4395 (24-hour number) at the Administrative Office of the Courts. Information is also available on the California Courts Web site at www.courtinfo.ca.gov/programs/courtinterpreters.

The 27-member Judicial Council is the policymaking body of the California courts, the largest and busiest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts serves as the staff agency to the council.